



MEMORANDUM

TO: Timothy Baroody, City Manager
FROM: James Newman, Zoning Administrator
DATE: April 5, 2021 for the April 13, 2021 meeting
RE: RZ2021-02 Lana Ingram requests a rezoning from Commercial Highway (CH) to Residential-8 (R8) for 507 Weedon Street and 506 Spottswood Street.

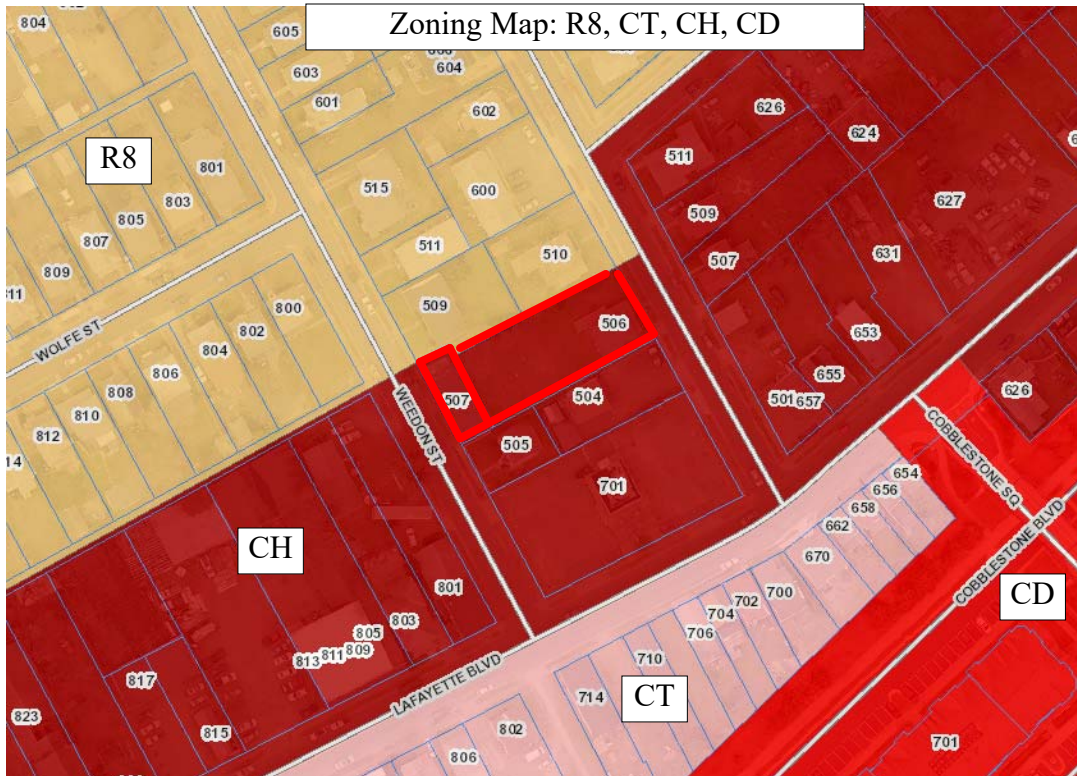
ISSUE

Proposed rezoning from Commercial-Highway to Residential-8.

RECOMMENDATION

Approval on second read by consent.





DISCUSSION

506 Spottswood Street/GPIN 7789-02-3395 is a .24 acre parcel zoned Commercial Highway. 507 Weedon Street/GPIN7789-02-3300 is a .05 acre parcel zoned Commercial Highway. Adjacent properties are zoned either CH or R8 (see map above). The Spottswood property contains a single-family detached house (built in 1919), and the Weedon Street property has a structure that was used as a multi-family apartment, but is now vacant (built in 1929). The Spottswood property is currently used as a rental property, and the Weedon property is vacant.

507 Weedon Street was granted a Special Use Permit by City Council on February 12, 1985 to permit two residential apartments. Approval was conditioned upon providing two off-street parking spaces at 505 Weedon Street. Due the failure of previous property owners to provide those spaces, the Special Use Permit was revoked by City Council on February 26, 2013. A copy of that staff report is attached.

The property owner wishes to have both properties be used for single family housing, with the 507 Weedon property as their principal dwelling.

PROFFERS

There are no proffers associated with this rezoning.

CITY COUNCIL – MARCH 23, 2021

City Council held a public hearing on this item at its meeting on March 23rd. There was no public comment. Councilor Graham made a **motion to approve** 1st read, seconded by Councilor Devine. The motion was **unanimously passed**.

PLANNING COMMISSION – FEBRUARY 24, 2021

The Planning Commission held additional discussion and voted 7-0 to recommend **approval**.

PLANNING COMMISSION – FEBRUARY 10, 2021

The Planning Commission held a public hearing on this item at its February 10, 2021 meeting. There were no public comments. There was discussion about including this property in the Neighborhood/Commercial-Residential (NCR) district, a concept in the Downtown Plan. Alternatives being considered for this district would allow more density, with a greater diversity of uses than the proposed R8, however the R8 is more consistent with the adjacent neighborhood and these properties have no access to Lafayette Boulevard. There was a question about moving property lines between the existing lots and whether they would be more conforming to the proposed zoning district regulations.

USE STANDARDS

The sole use standard for a single family dwelling unit is that no more than one single-family detached dwelling may be located on each of the two existing lots.

CONFORMANCE WITH THE 2015 COMPREHENSIVE PLAN

The 2015 Comprehensive Plan (as amended in August 11, 2020) shows the property and all adjacent parcels designated on the Future Land Use Map as ‘T-3 Transect: Sub-Urban Zone’. This property was specifically put into the T-3 Transect at the owners’ request. This transect:

“...consists of primarily low-to-medium density residential areas with some opportunity for semi-detached and supplementary commercial activity; corner stores or live/work homes. Planting is a combination of regular and naturalistic. Setbacks are moderate and regular. Blocks are regular shaped. Most streets have curbs and sidewalks.”

The Comprehensive Plan classifies these properties as being within the *Area 7 Downtown*, which is described as:

“...the historic City Core, adjacent residential neighborhoods, and several distinct commercial areas on key entrance corridors. This planning area is the oldest part of the City. The historic buildings and streetscapes create walkable urban fabric that lends great value to the City as a whole. These assets are irreplaceable and foster an integrated community that meets all daily needs in a sustainable fashion.”

The request meets the following opportunities:

-Protect historic resources through careful adaptive reuse of existing buildings and appropriate new construction. Support redevelopment that respects historic form and embraces architectural creativity in accordance with the Historic District Guidelines.

-Promote residential and mixed-use development in corridors and the downtown core.

The proposed rezoning will permit the properties to be used for single-family residential use. The proposed rezoning and associated development are in accordance with goals of the Comprehensive Plan:

Residential Housing Goal 8, Variety of Housing: Provide a variety of housing throughout the City that respect the character of the community.

CONFORMANCE WITH THE UNIFIED DEVELOPMENT ORDINANCE

The purpose of R8 zoning is described in Code § 72-31.4 as:

“... to provide for a planned mixture of single-family detached and attached dwelling types at a density not to exceed eight dwelling units per acre. Development in this district is sensitive to land physiography, public infrastructure and facilities, transportation access requirements, and vulnerable environmental features. The district also allows selected uses which are compatible with the medium-density residential character of the district and to implement the stated purposes and intent of the Comprehensive Plan.”

The rezoning will ensure the zoning of the property matches the best use of the property. It brings the properties into conformity with the R8 zoning of their neighborhood, is in accordance with the future land use designation, and would grant a low-intensity use (single-family detached housing) that the applicant desires, and for which the Spotswood property was specifically designed.

The Weedon Street property has a long history. It was used as a commercial space, then as apartments. This rezoning would permit it to have an active use as a single-family dwelling, rather than stay vacant.

CONCLUSION

The applicant is seeking a rezoning from CH to R8. The application is in conformity with the goals and future land use map designation of the 2015 Comprehensive Plan, as amended in August 2020, with the Area 7 Downtown Small Area Plan. The rezoning is in keeping with the adjacent residential character of the structures and neighborhood. The Planning Commission and staff recommend **approval**. The item was **unanimously approved on first read** by Council on March 23rd, 2021.

ATTACHMENTS

1. Ordinance



April 13, 2021
Regular Meeting
Ordinance No. 21-__

MOTION:

SECOND:

RE: Rezoning Approximately 0.28 Acres of Land, Identified as 507 Weedon Street and 506 Spottswood Street, from Commercial-Highway to R-8 Residential

ACTION: APPROVED: Ayes: 0; Nays: 0

FIRST READ: _____ **SECOND READ:** _____

Sec. I. Introduction.

Lana Ingram seeks to rezone two parcels from Commercial-Highway (C-H) to the R-8 Residential district, in order to permit the future single family detached residential use of each parcel. This use is permitted by right in the R-8 Residential district, but it is not a permitted use in the C-H district.

The request is consistent with the City's Comprehensive Plan, and particularly with the Area 7 small area plan, adopted September 8, 2020, which shows the subject parcels as within the T-3 Sub-Urban Transect Zone. This zone is designed to consist of medium density residential uses including single family detached residential use, and the small area plan encourages growth through infill and redevelopment, containing a healthy mix of uses in residential forms of all scales, with a preference for preserving the existing building stock.

In adopting this ordinance, City Council has considered the applicable factors in Virginia Code § 15.2-2284. The City Council has determined that public necessity, convenience, general welfare and good zoning practice favor the requested rezoning.

Sec. II. Official Zoning Map amendment.

The official zoning map, prepared in accordance with City Code §72-30, is hereby amended by rezoning the following described land from Commercial-Highway (C-H) to R-8 Residential:

GPINs 7789-02-3300 (507 Weedon Street) and 7789-02-3395 (506 Spottswood Street), consisting of .28 acres in total.

Sec. III. Effective date.

This ordinance is effective immediately.

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

Approved as to form:

Kathleen Dooley, City Attorney

Clerk's Certificate

I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Ordinance No. 21- duly adopted at a meeting of the City Council meeting held Date, 2021 at which a quorum was present and voted.

Tonya B. Lacey, MMC
Clerk of Council